

AN ORDINANCE approving a contract between the City of Fort Wayne and Zollner Corporation for fire protection to premises outside the City.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 1, 1980, between the City of Fort Wayne, by and through its Mayor and Board of Public Safety, and Zollner Corporation and the furnishing of fire protection by the Fort Wayne Fire Department to premises of Zollner Corporation outside the city limits, described as follows, to-wit:

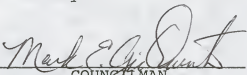
All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as \$657,400, as issued by the Treasurer of Allen County, Indiana,


at a cost to Zollner Corporation of \$6,694.96, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The proceeds of such contract received by the City shall be deposited in the City "Fire Fighting Fund" pursuant to I.C. 18-6-8-2.

SECTION 3. This Ordinance shall be effective upon its passage and approval by the Mayor.

  
COUNCILMAN

APPROVED AS TO FORM AND  
LEGALITY AUGUST 8, 1980.

  
JOHN E. HOFFMAN  
City Attorney

Read the first time in full and on motion by Gia Quinta, seconded by Salinas, and duly adopted, read the second time by title and referred to the Committee General (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8/12/80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Ernst, and duly adopted, placed on its passage. PASSED (~~REST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>      </u>	<u>3</u>	<u>      </u>	<u>      </u>
<u>BURNS</u>	<u>      </u>	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>
<u>EISBART</u>	<u>      </u>	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>
<u>GiaQUINTA</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>NUCKOLS</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, D.</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, V.</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHOMBURG</u>	<u>      </u>	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>TALARICO</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 8/26/80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-98-80 on the 26th day of August, 1980.

ATTEST:  
Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)  
Vivian J. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1980, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 29th day of August, 1980, at the hour of 11:30 o'clock A M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. S-80-08-07

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
ORDINANCE approving a contract between the City of Fort Wayne and Zollner  
Corporation for fire protection to premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

Mark GiaQuinta

Ben Eisbart

Paul M. Burns

Donald J. Schmidt

8-26-80  
CONCURRED IN  
DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK

## FIRE PROTECTION CONTRACT

This contract is entered into duplicate this 1st day of June, 1980 between the CITY OF FORT WAYNE, INDIANA, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and ZOLLNER CORPORATION, an Indiana corporation having its principal place of business in Adams Township, Allen County, Indiana ("ZOLLNER").

WHEREAS, ZOLLNER is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less:

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as \$657,400, as issued by the Treasurer of Allen County, Indiana;

and, WHEREAS, ZOLLNER desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

1. For one continuous calendar year from the date of this Agreement, upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, ZOLLNER shall pay to the CITY the sum of One and One Hundred Eighty Four Ten Thousandths Dollars (\$1.0184) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinafter identified as the premises. The improvements hereinabove identified have an assessed valuation as indicated of \$657,400. The sum owing under this contract

is therefore, \$6,694.96. Said sum shall be payable as follows:

1. \$3,347.48 shall be payable upon execution of this contract.
2. The balance due shall be \$3,347.48 payable on or before November 1, 1980.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect ZOLLNER'S Building, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and ZOLLNER'S operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety of CITY.

ZOLLNER CORPORATION

By: Paul O. Schirmeyer  
Paul O. Schirmeyer, Treasurer

CITY OF FORT WAYNE, INDIANA

By: Win C. Moses, Jr.  
Win C. Moses, Jr., Mayor

BOARD OF COMMISSIONERS,  
DEPARTMENT OF PUBLIC SAFETY

BY: \_\_\_\_\_

BY: William H. White  
William H. White, Member

BY: Helen J. Brown  
Helen J. Brown, Member

I hereby certify that the foregoing contract was ratified and approved  
by the Common Council of the City of Fort Wayne, Indiana on

8-26-, 1980.

Charles W. Westerman  
Charles W. Westerman, Clerk

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Outside the City Fire Contract *2-80-08-07*

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire protection for Zollner Corporation. They, in turn, will pay the City \$6,694.96 which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$6,694.96.

EFFECT OF NON-PASSAGE The Fire Department will lose \$6,694.96.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

DATE SUBMITTED: France